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E-Filed: October 11, 2013

Attorneys for Defendant FRANMARA, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

11 BRYCE LESLIE STEWART,
12 Plaintiff,
13 v.
14 FRANMARA, INC.,
15 Defendant

Case No. CV13-03211 HRL

**STIPULATION TO STAY ACTION AND
[PROPOSED] ORDER THEREON**

17 Plaintiff, Bryce Leslie Stewart, acting through his counsel of record, Gregory J. Thwaite,
18 and Franmara, Inc., defendant, acting through its counsel of record, Noland, Hamerly, Etienne, &
19 Hoss, do hereby agree and stipulate as follows:

20 1. Plaintiff has filed this action for the enforcement of foreign judgment on July 11,
21 2013:

2. Defendant has filed its answer herein on August 13, 2013;

23 3. Defendant has applied to the court in New Zealand to set aside the New Zealand
24 judgment forming the subject matter of this action:

25 4. Wherefore, plaintiff and defendant have agreed that all parties will be better served
26 seeking a stay of this action pending a ruling from the New Zealand court on the set aside motion;

27 Therefore, it is hereby stipulated by and between counsel for plaintiff and defendant that
28 this matter be stayed until December 1, 2013.

1 Dated: October 2, 2013

LAW OFFICE OF GREGORY J. THWAITE

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6 Dated: October 2, 2013

By /s/ Gregory J. Thwaite
Gregory J. Thwaite
Attorneys for Plaintiff Bryce Leslie Stewart

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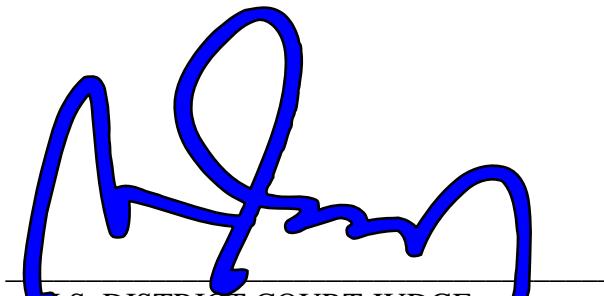
NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation

By /s/ Michael Masuda
Michael Masuda
Attorneys for Defendant FRANMARA,
INC.

1 **[PROPOSED] ORDER**
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4 THE PARTIES' COUNSEL HAVING STIPULATED TO STAY THE ACTION UNTIL
5 DECEMBER 1, 2013, IT IS SO ORDERED.
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8 Dated: October 11, 2013
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U.S. DISTRICT COURT ~~JUDGE~~
MAGISTRATE JUDGE
HOWARD R. LLOYD

NOLAND, HAMERLY, ETIENNE & HOSS
ATTORNEYS AT LAW
SALINAS, CALIFORNIA